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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,109	03/14/2001	Kazuo Asami	NIP-231	5718

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ALEXANDRIA, VA 22314

EXAMINER

CORSARO, NICK

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 02/27/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/805,109

Applicant(s)

ASAMI, KAZUO

Examiner

Nick Corsaro

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14-18, 20, 26-39, 41 and 44-50 is/are rejected.
- 7) ☒ Claim(s) 10-13, 19, 21-25, 40, 42 and 43 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 0201 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4 and 6</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because the abstract is too long. Correction is required. See MPEP § 608.01(b).
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: METHOD AND APPARATUS FOR EFFICIENT TRANSMITTING AND RECEIVING OF INFORMATION VIA INFORMATION UPDATING.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2684

2. Claims 1-9, 14-18, 20, 26-29, 35-39, 47, and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita et al. (6,041,124) in view of Tsutsui et al. (6,668,158).

Consider claim 1, Sugita discloses an information transmission method (see abstract lines 1-8). Sugita discloses information to be transmitted by using an information transmission media is categorized (see col. 5 lines 48-65, col. 1 lines 55-67, and col. 2 lines 1-30). Sugita discloses information is transmitted in a timing for information transmission predefined for an individual category (see col. 3 lines 40-55, col. 5 lines 49-67, and col. 6 lines 1-50). Sugita does not specifically disclose an information transmission line. Tsutsui teaches an information transmission line (see col. 23 lines 15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an information transmission line, as taught by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Consider claim 2 and 15, Sugita discloses an information receive method (see abstract lines 1-8). Sugita discloses information to be received by using an information transmission media is categorized (see col. 5 lines 48-65, col. 1 lines 55-67, and col. 2 lines 1-30). Sugita discloses information is received and acquired in a timing for information transmission predefined for an individual category (see col. 3 lines 40-55, col. 5 lines 49-67, and col. 6 lines 1-50). Sugita does not specifically disclose an information transmission line. Tsutsui teaches an information transmission line (see col. 23 lines 15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an information transmission line, as taught by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Art Unit: 2684

Consider claim 14, Sugita discloses an information transmission (see abstract lines 1-8). Sugita discloses a dedicated information transmission channel assigned exclusively for transmission of information sent out for broadcasting business (see col. 3 lines 28-65, col. 4 lines 3-10, col. 5 lines 49-65, where Sugita discloses a channel is used for transmission of information such as weather or stock information). Sugita discloses several different set of information are transmitted in a time sharing mode at an unoccupied time slot (figure 5A to 5C) for said information transmission channel said unoccupied time slot obtained by digitizing and transmitting the data (see col. 5 lines 35-65, col. 6 lines 1-67, and col. 7 lines 1-12, where Sugita discusses time slots). Sugita does not specifically disclose compressing information for broadcasting. Tsutsui teaches compressing information for broadcasting (see col. 6 lines 12-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and compress the information for broadcasting, as taught by Tsutsui, thus allowing conversations of bandwidth when information is large.

Consider claim 17, Sugita discloses a receive-side information processing system for acquiring an information at a designated timing predefined for individual categories when acquiring a categorized information by using an information transmission media (see col. 5 lines 35-65, col. 6 lines 1-67, and col. 7 lines 1-12, where Sugita discusses transmission in the time slots). Sugita discloses an inherent primary buffer device (figure 2 and figure 8) for storing temporarily transmitted information independently on an operation state of said receive-side information processing system (see col. 6 lines 64-67 and col. 7 lines 1-30 where Sugita discusses detectors and decoders, both having buffer memories). Sugita discloses a main memory unit for storing an information to be used as an output information from said receive-

Art Unit: 2684

side information processing system; and an input and output device and others (see col. 7 lines 1-30). Sugita discloses an information formed by editing and processing an information stored in said primary buffer device is used as an information to be stored in said main memory unit (see col. 7 lines 1-30). Sugita does not specifically disclose an information transmission line. Tsutsui teaches an information transmission line (see col. 23 lines 15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an information transmission line, as taught by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Consider claim 18, Sugita discloses a receive-side information processing system for acquiring an information at a designated timing predefined for individual categories when acquiring a categorized information by using an information transmission media (see col. 5 lines 35-65, col. 6 lines 1-67, and col. 7 lines 1-12). Sugita discloses based on a label information and a version information added to an transmitted information contents, whether said information is such an information as should be acquired into said information processing system or not is judged; whether said information should be acquired, skipped or aborted is determined (see col. 5 lines 49-67 and col. 6 lines 1-67). Sugita discloses an information judged to be acquired is stored sequentially into a primary buffer device installed in said information processing system (see col. 6 lines 45-67, and col. 7 lines 1-45). Sugita does not specifically disclose an information transmission line. Tsutsui teaches an information transmission line (see col. 23 lines 15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an information transmission line, as taught

Art Unit: 2684

by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Consider claim 20, Sugita discloses a receive-side information processing system for acquiring an information at a designated timing predefined for individual categories when acquiring a categorized information by using an information transmission line (see col. 5 lines 35-65, col. 6 lines 1-67, and col. 7 lines 1-12). Sugita discloses a registration information recording media is used in order to record and register an information defining a chargeable information, which can be acquired in said receive-side information processing system (see col. 1 lines 60-67, col. 2 lines 14-47, col. 5 lines 49-67, col. 6 lines 45-67, col. 7 lines 1-45, and col. 10 lines 25-45). Sugita discloses a label information and version information of a chargeable information already acquired in said receive-side information processing system (see col. 5 lines 49-67, col. 6 lines 1-67 and col. 10 lines 25-45). Sugita discloses proper charging for the information however does not specifically disclose a charge transfer account information required for acquiring a new chargeable information. Tsutsui teaches a charge transfer account information required for acquiring a new chargeable information (see col. 6 lines 55-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, an charge transfer account information required for acquiring a new chargeable information, as taught by Tsutsui, thus allowing distribution of multimedia data without copyright infringement, as discussed by Tsutsui (col. 6 lines 55-65).

Consider claim 26, Sugita discloses a receive-side information processing system for acquiring an information at a designated timing predefined for individual categories when acquiring a categorized information by using an information transmission media (see col. 5 lines

Art Unit: 2684

35-65, col. 6 lines 1-67, and col. 7 lines 1-12). Sugita discloses an information stored inherently in a primary buffer device is edited and processed by respecting a category information added on said information, using a timing indicated by said category information as priority level (see col. 5 lines 47-67, col. 6 lines 1-67, and col. 7 lines 1-67, and col. 8 lines 1-55). Sugita discloses utilizing an unoccupied time slot of said receive-side information processing system, is used for storing newly into a main memory unit installed in advance at said receive-side information processing system (see col. 6 lines 25-65, col. 3 lines 40-67, col. 4 lines 1-45, col. 5 lines 47-67, col. 6 lines 1-67, and col. 7 lines 1-67, and col. 8 lines 1-55). Sugita discloses rewriting an older version of information already stored in said main memory unit (see col. 6 lines 1-67 and col. 7 lines 1-45). Sugita does not specifically disclose an information transmission line. Tsutsui teaches an information transmission line (see col. 23 lines 15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an information transmission line, as taught by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Consider claim 35, Sugita discloses an information dissemination method, wherein a transmission information from a transmission source is received at a fixed receiving station, and a mobile station having a device for receiving said transmission information is also allowed to receive said transmission information from said fixed receiving station (see col. 5 lines 35-65, col. 6 lines 1-67, col. 7 lines 1-12 see col. 5 lines 47-67, col. 6 lines 1-67, col. 7 lines 1-67, and col. 8 lines 1-55 see col. 6 lines 25-65, col. 3 lines 40-67, col. 4 lines 1-45, col. 5 lines 47-67, col. 6 lines 1-67, col. 7 lines 1-67, and col. 8 lines 1-55). Sugita does not specifically disclose acquisition. Tsutsui teaches acquisition (see col. 6 lines 55-65). It would have been obvious to



Art Unit: 2684

one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have acquisition, as taught by Tsutsui, thus allowing users to purchase the information, as discussed by Tsutsui (col. 1 lines 30-67).

Consider claim 37, Sugita discloses an information transmission method (see col. 5 lines 49-65, and col. 8 lines 5-20). Sugita discloses plural fixed receiving stations for receiving a transmission information from a transmission source has a function for receiving and storing a latest version of all information transmitted out from said transmission source (see col. 1 lines 60-67, col. 2 lines 1-47, col. 5 lines 49-67, and col. 6 lines 1-64). Sugita discloses finding and transmitting an information requested by an individual mobile station to an receive-side information processing system of said individual mobile station so that a latest information may be transmitted to said receive-side information processing system of said individual mobile station also via said fixed receiving station (see col. 5 lines 47-67, col. 6 lines 1-67, and col. 7 lines 1-67). Sugita does not specifically disclose searching. Tsutsui teaches searching (see col. 5 lines 15-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and search, as taught by Tsutsui, thus allowing users to select material, as discussed by Tsutsui (col. 1 lines 15-67).

Consider claim 39, Sugita discloses an information transmission method (see col. 5 lines 49-65, and col. 8 lines 5-20). Sugita discloses a transmission information from a transmission source is received at a fixed receiving station; and a label information and a version information of all information, and a service recording and an operation recording of said fixed receiving station, both stored individually in plural said fixed receiving stations are defined so as to be acquired through a wireless or wired information transmission line into an information

Art Unit: 2684

processing system formed for managing said plural fixed receiving stations so that a mobile station having a device for receiving said transmission information may receive said transmission information also from said fixed receiving station (see col. 1 lines 60-67, col. 2 lines 1-47, col. 5 lines 49-67, and col. 6 lines 1-64, col. 5 lines 47-67, and col. 7 lines 1-67). ). Sugita does not specifically disclose acquiring. Tsutsui teaches acquiring (see col. 6 lines 55-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have acquiring, as taught by Tsutsui, thus allowing users to purchase the information, as discussed by Tsutsui (col. 1 lines 30-67).

Consider claim 47, Sugita discloses an information service station (see col. 5 lines 49-67). Sugita discloses an equipment for receiving a communication from an artificial satellite; and an information processing device, wherein said information processing device has a function to enable to transfer an information directly to a mobile station or indirectly via an information transmission media (see col. 5 lines 49-67, col. 6 lines 1-67, and col. 7 lines 1-67, and col. 8 lines 1-67). Sugita does not specifically disclose an artificial satellite. Tsutsui teaches an artificial satellite (see col. 28-35, and col. 23 lines 15-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an artificial satellite, as taught by Tsutsui, thus allowing retransmission of the data via wireless means, as discussed by Tsutsui (col. 6 lines 28-35).

Consider claims, 3, 4, 16, 36, 38, Sugita does not specifically disclose said information transmission media is a transmission line and is established by using an artificial satellite or an optical fiber. Tsutsui teaches said information transmission media is a transmission line and is established by using an artificial satellite or an optical fiber (see col. 23 lines 15-20). It would

Art Unit: 2684

have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have said information transmission media be a transmission line and be established by using an artificial satellite or an optical fiber, as taught by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Consider claims 5-9, and 27, 28, and 29, above combination discloses the limitations as discussed above wherein information is sent to a receiving station based on necessary updates. Sugita does not specifically disclose said information transmission media is a transmission line and is established by using an artificial satellite or an optical fiber. Tsutsui teaches said information transmission media is a transmission line and is established by using an artificial satellite or an optical fiber (see col. 23 lines 15-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have said information transmission media be a transmission line and be established by using an artificial satellite or an optical fiber, as taught by Tsutsui, thus allowing the data to be relayed from the source, as discussed by Tsutsui (col. 23 lines 15-20).

Consider claim 49 and 50, Sugita discloses the system where information is updated. Sugita does not specifically disclose an IC card. Tsutsui teaches an IC card (see col. 11 lines 8-30, and col. 12 lines 1-6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have an IC card, as taught by Tsutsui, thus allowing the user to be charged for the services.

Art Unit: 2684

3. Claims 30-34, 44, 46, and 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita in view of Tsutsui as applied to claims 17, 35, and 47 above, and further in view of Brohoff et al. (6,108,533).

Consider claim 30, 31 32, 33, 34, 44, 46, and 48, Sugita and Tsutsui discloses an information distribution method, used for a system wherein a transmission information from a transmission source is received at a fixed receiving station; and a mobile station having a device for receiving said transmission information may receive said transmission information also from said fixed receiving. Sugita and Tsutsui do not specifically disclose said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop. Brohoff teaches acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop (see col. 6 lines 1-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita and Tsutsui, and have acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop, as taught by Brohoff, thus allowing the user access to geographically located services, as discussed by Brohoff (col. 1 lines 10-67 and col. 2 lines 18-42).

4. Claims 41 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita et al. (6,041,124) in view of Brohoff et al. (6,108,533).

Consider claim 41, Sugita discloses an information distribution method, used for a system wherein a transmission information from a transmission source is received at a fixed receiving station; and a mobile station having a device for receiving said transmission information may

Art Unit: 2684

receive said transmission information also from said fixed receiving station (see col. 1 lines 60-67, col. 2 lines 1-47, col. 5 lines 49-67, and col. 6 lines 1-64, col. 5 lines 47-67, and col. 7 lines 1-67). Sugita does not specifically disclose acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop. Brohoff teaches acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop (see col. 6 lines 1-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop, as taught by Brohoff, thus allowing the user access to geographically located services, as discussed by Brohoff (col. 1 lines 10-67 and col. 2 lines 18-42).

Consider claim 45, Sugita and Brohoff discloses the system and method as discussed above, and as modified by Brohoff, wherein information is received by a mobile and updated. Sugita does not specifically disclose acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop. Brohoff teaches acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop (see col. 6 lines 1-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Sugita, and have acquiring and said individual fixed receiving station is installed so as to be adjacent to a gas station, a automobile repair shop, a parking area or a shop, as taught by Brohoff, thus allowing the user access to geographically located services, as discussed by Brohoff (col. 1 lines 10-67 and col. 2 lines 18-42).

***Allowable Subject Matter***

5. Claims 10-13, 19, 21-25, 40, 42, 43, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(6,246,958), Hirono discloses information distribution.

7. Any inquiry concerning this communication should be directed to Nick Corsaro at telephone number (703) 306-5616.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth, Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 customer Service Office whose telephone number is (703) 306-0377.

Application/Control Number: 09/805,109

Page 14

Art Unit: 2684

A handwritten signature in black ink, appearing to read "Nick Corsaro". The signature is fluid and cursive, with the first name "Nick" being more prominent than the last name "Corsaro".

Nick Corsaro

Primary Examiner